

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Crim. No. 22-72 (JRT/BRT)

Plaintiff,

v.

ORDER

(2) Carlos Maurice Harris, Jr.,

Defendant.

Harry Jacobs, Esq., Assistant United States Attorney, counsel for Plaintiff.

Jordan S. Kushner, Esq., Law Office of Jordan S. Kushner, counsel for Defendant Harris.

This matter is before the Court on the Government's motion for discovery pursuant to the Federal Rules of Criminal Procedure. As of the date of this Order, the parties have scheduled a Change of Plea Hearing for August 31, 2022. (Doc. No. 51.) Based on the file and documents contained therein, the Court makes the following Order:

1. Government's Motion for Discovery Pursuant to Federal Rules of Criminal Procedure 16(b), 12.1, 12.2, 12.3 and 26.2. The Government seeks disclosure of documents and tangible objects, reports of examinations and tests, and a written summary of expert testimony pursuant to Fed. R. Crim. P. 16(b). The Government also seeks disclosure of any alibi by Defendant pursuant to Fed. R. Crim. P. 12.1, and all witness statements pursuant to Fed. R. Crim. P. 26.2. In addition, the Government seeks notice (no later than the date of the first hearing on pretrial motions) pursuant to Fed. R. Crim. P. 12.2, if Defendant intends to rely upon the defense of insanity or introduce

expert testimony relating to a mental disease or defect or any other mental condition of Defendant bearing on the issue of guilt. And the Government seeks notice (no later than the date of the first hearing on pretrial motions) pursuant to Fed. R. Crim. P. 12.3, if Defendant intends to rely upon a defense of actual or believed exercise of public authority. Defendant has filed no objection to the motion and has recently scheduled a change of plea hearing. Therefore, Defendant is hereby ordered to comply with the discovery and disclosure obligations under the rules. The Government's Motion for Discovery (**Doc. No. 38**) is **GRANTED**. If this case does not proceed to plea hearing, and instead proceeds to trial, the parties must disclose the identity of any non-rebuttal experts and all non-rebuttal expert disclosures **30 days** before trial. Any rebuttal experts must be noticed along with the production of rebuttal expert disclosures no later than **10 days** before trial.

Date: August 10, 2022

s/ Becky R. Thorson

BECKY R. THORSON

United States Magistrate Judge